IN THE HIGH COURT OF JUDICAUTRE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9941 OF 2004

Mr. Raosaheb Jayaram Thorat ... Petitioner

Vs.

State of Maharashtra and Anr. ... Respondents

Mr. Ram Rao Adik, Sr. Advocate i/by J.P. Kharge &
P.M. Khankar for Petitioner.

Mrs. S.S. Bhende, A.G.P. for State.

CORAM : F.I. REBELLO &
S.P. KUKDAY,JJ.
DATED : APRIL 21, 2005

P.C.

. The Petitioner has challenged his compulsory retirement on reaching the age of 50 years. It is his case that he has fairly good record and in fact he has been issued with recommendations to show that his disposal is satisfactory. The Petitioner relies on the same.

. In so far as compulsory retirement at the age of 50 years is concerned, one of the relevant facts to be considered are the records of the Petitioner for last five years previous to the decision being taken. An affidavit has been field on behalf of the High Court by Mr. V.R. Kingaonkar, Registrar (Legal). Apart from that we have personally called for the records and more so specifically of the

last five years. On perusal of the records the Petitioner is shown as average for last four years and only one year there is remark "good". Even previous to that it is more or less the same. The very purpose for exercising the power of compulsory retirement is to weed out officers who in the opinion of hte Appointing Authority are considered not fit for retention. Considering the record, we find the action taken does not suffer from any arbitrariness or based on no material. In the light of that, no interference is called for.

Petition rejected.

(F.I. REBELLO,J.)

(S.P. KUKDAY,J.)